

*500  
robbers*

For the United States District Court  
For the Northern District of Alabama **FILED**

2017 JAN - 5 AM 10:25

U.S. DISTRICT COURT  
N.D. OF ALABAMAJoseph Bernard Mc AdamsAIS 2651271000 ST CLAIR Road

CV-17-CV-0021-E

Springville AL 35746

(Enter above the full name(s) of the Plaintiff(s) in this action)

Talladega County SeniorJudge Julian M. Knob Et.al  
State of AlabamaTalladega Co. Dist. Atty. Steve D. Giddens

(Enter above the full name(s) of the Defendant(s) in this action)

## I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment? Yes  No
- B. If you answer to A. is "yes", describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

## 1. Parties to this previous lawsuit

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

## 2. Court (if Federal Court, name the district; if State Court, name the county)

3. Docket Number \_\_\_\_\_

4. Name of judge to whom case was assigned \_\_\_\_\_

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Approximate date of filing lawsuit \_\_\_\_\_

7. Approximate date of disposition \_\_\_\_\_

II. Place of present confinement \_\_\_\_\_

A. Is there a prisoner grievance procedure in this institution?

Yes  No

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes  No

C. If your answer is YES:

1. What steps did you take? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. What was the result? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. If your answer is NO, explain why not? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. Parties

In item A below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) \_\_\_\_\_

SEE ATTACHED  
(1-4)

Address \_\_\_\_\_

①

Additional Defendants

① Alabama, State of

② Jimmy Kilgore, Talladega County Sheriff 148 East Street, Talladega County Judicial Building, Talladega, Alabama 35160

③ Kenneth Flowers Chief Deputy Sheriff Talladega 148 - East Street, Talladega County Judicial Building Talladega, Alabama 35160

④ Steve Giddens Talladega County District Attorney 148 - East Street, Talladega County Judicial Building Talladega, Alabama 35160

⑤ Christina Kilgore Chief Deputy District Attorney Talladega County, 148 - East Street, Talladega County Judicial Building, Talladega

⑥ Talladega County Narcotics Task Force, Talladega, Alabama 35160

⑦ Talladega County Narcotics Task Force Officer Jason Blankenship D.I.T. Talladega, Alabama 35160

⑧ Talladega County Circuit Judge William (Bo) Hollingsworth III, 148 East Street, Talladega County Judicial Building, Talladega, Alabama, 35160

② cont. Additional Defendant(s)

(9) Talladega County Circuit (Sr.) Judge Julian M. King, 148-East Street, Talladega County Judicial Building, Talladega Alabama, 35160

(10) Talladega County District Court Judge Jeb Fannin, 148-East Street, Talladega County Judicial Building, Talladega Alabama, 35160

(11) Talladega County District Court, Judge Ryan Rumsey (Southern Division) Talladega County Judicial Building, Sylacauga Alabama, 35160

(12) Talladega County (Magistrate Judge)  
Patricia (Patty) Davydpov, 148-East Street  
Talladega County Judicial Building, Talladega  
Alabama, 35160

(13) Talladega Co. Circuit Clerk - For the 29<sup>th</sup> Judicial Circuit,  
(Clarence Haynes)(RELV) Bryan York, 148-East  
Street, Talladega Alabama, 35160

(14) Bennett Henry Webb, Attorney At Law  
110-North Street, East, Talladega, Alabama, 35160

(15) State of Alabama, Board of Pardons and  
Paroles, Montgomery Alabama, 36106

(3) of ( ) Additional Defendants-Parties

⑯ Timothy Hall - Parole - Probation Officer  
Talladega County Courthouse  
Sylacauga Alabama, 35150

⑰ David Kimbrough, City of Sylacauga Police Dept  
City Hall, Sylacauga Alabama, 35150

⑱ Mike Moore City of Sylacauga Police Dept.  
City Hall Sylacauga Alabama 35150

⑲ Mike Smith City of Sylacauga Police Dept.  
City Hall - Sylacauga Alabama 35150

⑳ Chief Kelly Johnson City of Sylacauga Police Dept.  
City Hall, Sylacauga Alabama 35150

㉑ Mayor of Sylacauga Doug Murphree, City Hall  
Sylacauga Alabama 35150

㉒ Governor Robert Bentley, State of Alabama  
1142- South Perry Street, Montgomery, Alabama 36104

㉓ Attorney General Luther Strange - State of Alabama  
501- Washington Ave Montgomery Alabama, 36104

㉔ Chief Justice Roy Moore State of Alabama  
300 - Dexter Ave, Montgomery Alabama, 36104

(4) of ( ) Additional Defendants - Parties

(25) Defendant State of Alabama Dept. of Corrections,  
Warden ( ), Estes St. Clair Correctional Facility  
1000- St. Clair Road, Springville Alabama, 35146

(26) Defendant State of Alabama DEPT. of Corrections  
Commissioner Mr. Jefferson S. Dunn 301- North Ripley  
Montgomery Alabama, 36104

(27) Defendant Brian York Talladega County Court Clerk  
Talladega County Judicial Building, 148 - East Street  
Talladega Alabama, 35160.

(28) Defendant Talladega County Assistant Dist. Attorney  
Talladega County Judicial Building 148 - East Street  
Talladega Alabama, 35160

(29) Defendant Talladega Co. Narcotics Task Force, investigator  
Jason Blankenship Talladega Co. Courthouse

In Item B below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use Item C for the names, positions, and places of employment of any additional defendants.

B. Defendant \_\_\_\_\_

Is employed as \_\_\_\_\_

at \_\_\_\_\_

C. Additional Defendants \_\_\_\_\_

IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include, also, the names of other persons involved, dates and places. *(Do not give any legal arguments or cite any rules or statutes.)* If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

SEE ATTACHMENT

(I-41)

①-of-(4) Statement of facts

① On 10-2-2015, Plaintiff was Arrested by the Sylacauga Police Officer David Kimbrough, for an Alleged

3<sup>rd</sup> Degree Robbery.

While on Probation for the State of Alabama;

See Exhibit (8)

"Board of Pardons and Paroles".

② Plaintiff was on Probation, for;

Possession of Cocaine Case - 2011-491-70

(a) 15 yrs - Split - Serve 3 yrs, convicted On; 3-21-2012  
and Released; 3-16-2015,

③ Plaintiff was Issued on 10-7-2015, (Exhibit) (1) (A and B);

(A) Charge(s) (1- 4 ) and; 12-10-2015 Exhibit(2)(A and B)

(B) Charge(s) # (3); Robbery (3<sup>rd</sup>).

④ On 11-6-2015, Defendant Party Davenport, Franklin  
County Assistant Circuit Court Clerk, Issued;

A Nigger you Did It, Form Complaint / Affidavit /  
Arrest Warrant,

Warrant Affiant, Sylacauga Police Investigator, Mike  
Smith,

SEE Exhibit (3)

2-) of (-41) State of Facts.

(5) Defendant Talladega County Assistant Circuit Court Clerk, Patty Davenport, was in Violation of the 4th Amendment;

which Requires the State of Alabama, to provide a "fair and reliable determination of

"Probable Cause"

as a condition for any significant pretrial restraint of liberty.

Further, the "Probable Cause" Determination,

"Must be made by a (Judicial Officer) either before or promptly after arrest."

(6) The Duties of Defendant Talladega County Assistant Circuit Court Clerk:

Are to receive traffic fines, prepare the court's dockets and records, fill out commitment papers, and perform other routine clerical tasks. Apparently (he) or (she) may issue subpoenas (he) or (she) "may not"

"sit as a Judge" and (he) or (she) may not issue a "Search Warrant" or even a "Felony" or "Misdemeanor" Arrest Warrants.

"For Violation(s) of State of Alabama Laws."

SEE Exhibit (4) and (5)

### 3) of (-41) Statement of Facts

(7) On 10-7-2015 - Defendant State of Alabama Pardons and Paroles Board Officer:

Mr. Timothy Hall;

Failure - To Comply with ELEMENTARY PRINCIPLES of Procedural Due Process of THE GUARANTEE of THE (1<sup>st</sup>) Fourteenth Amendment, of THE Bill of Rights; ITS VIRTUE IN THE (4<sup>th</sup>) Fourth Amendment,

Provides that; No Warrant shall be ISSUED but upon

"Probable Cause", supported by Oath or Affirmation, and Particularly describing THE PLACE to BE SEARCHED and THE PERSONS or things to be SEIZED.

The United States Constitutional Amendment

(4);

the Probable Cause determination MUST be made by a Neutral and Detached Magistrate in order to insure that THE "Deliberate"

"Impartial Judgment" of a "Judicial Officer" will be interposed between THE CITIZEN and THE POLICE (Defendant Mike Smith of THE Sylacauga Police Dept.), to assess "the weight and credibility" of the Information which THE COMPLAINING OFFICER (Defendant Mike Smith of THE Sylacauga Police Dept.) adduces as Probable Cause.

(8) On 12-17-2015, Defendant Talladega County Senior Circuit Court Judge, Julian M. King REVOKE~~D~~ the Plaintiff probation, Depriving, THE Plaintiff of his Liberty without DUE PROCESS of Law,  
SEE Exhibits (6)-(A-C)

(4-) of (-41) Statement of Facts

(9) Defendant Talladega County Senior Circuit Court Judge Julian M. King, Failed to Comply with Elementary Principles of Substantive Due Process of the (14<sup>th</sup>) Fourteenth Amendment, and was in Clear Absence of all Jurisdiction, to Revoke the Plaintiff Probation;

CASE # CC-2011-491-70

(10) On 11-6-2015, Defendant Talladega County Assistant Circuit Court Clerk, Fraudulently Issued;

A Nigger you Did it Form Complaint/Affidavit / Arrest Warrant,

She EXCEEDED Her Scope of Authority, as a Clerk

SEE Exhibit -(3)

Here, the "Nigger you Did it" Form Complaint/Affidavit / Arrest Warrant,

Unaccompanied by a Separate Affidavit, without an Accurate Assessment of the Facts.

- (a) (Where) the place, the crime occurred
- (b) the time it happen, (AM) or (PM)

Defendant Talladega County Assistant Circuit Court Clerk, Lacked Jurisdiction (Authority) because she could not and did not Determine Probable Cause, On 2-23-2016 Plaintiff Filed

5-) of (-41) cont #⑩ Statement of Facts

a Complaint with:

The Judicial Inquiry Commission  
SEE Exhibit - (4)

and on or about 3-4-2016, Plaintiff Received; SEE

Exhibit (5)

Showing, that Defendant Talladega County Assistant Circuit  
Court Clerk, was NOT A JUDGE; and

the State of Alabama, Talladega County, lacked Jurisdiction  
Because the;

Mugger You Did It Form Complaint / Affidavit /  
Arrest Warrant,

Lacked Factual Justification to Support the  
Warrant Clause of the (4th) Fourth Amendment; and

It Failed to Meet the Elementary Requirements of Procedural  
Due Process of the (14<sup>th</sup>) Fourteenth Amendment, Thus

Talladega County Assistant Circuit Court Clerk, was NOT Empowered  
to ISSUE Arrest Warrant for Felony or Misdemeanor Violations  
of State Codes, or Statutes, the (4th) Fourth Amendment  
Requires a Judicial Determination of Probable Cause by a  
Judicial Officer, Before, or Promptly AFTER Arrest.

(b-) of -(-41) Statement of Facts

(11) On 2-8-2016, State of Alabama, Talladega County Circuit Court, November TERM 2015, Reunited;

(a) Two (2) Fraudulent Counts, Indictments  
in Violation of THE  
(5<sup>th</sup>) Fifth Amendment,

No person shall be held to answer for a Capital or otherwise  
Infamous Crime, Unless on Presentment or Indictment of a  
Grand Jury.

SEE Exhibit - (7) -(A-B)

(12) On 11-6-2015, Defendant Talladega County Assistant  
Circuit Court Clerk, Issued

A Nigger you Did I & Form Complaint/Affidavit/  
Arrest Warrant,

Which in Violation of the Warrant Clause of,  
the (4<sup>th</sup>) Fourth Amendment, and her Failure to Comply with  
Elementary Principles, of Procedural Due Process of the  
(14<sup>th</sup>) Fourteenth Amendment, was an Unconstitutional Exercise  
of Authority which is Forbidden by the Bill of Rights  
in all Criminal Proceedings, Procedural Guarantees of  
the

(A) Fourth (4<sup>th</sup>) Amendment Warrant Clause;

(B) Fifth (5<sup>th</sup>) Amendment, Double Jeopardy and  
Indictment Clause,

(C) Sixth (6<sup>th</sup>) Amendment Confrontation Clause, and

7.) - o f(-41) cont # ⑫ c Statement of Facts

Counsel Clause, and;

Punishment Clause, (d) Eighth(8<sup>th</sup>) Amendment, Cruel and Unusual

Contain limitations which are Fundamental to State (Alabama) criminal Justice systems and that

Absence of (1) one or the other Particular guarantees Denied the Plaintiff Due Process of Law, and the Plaintiff was Wrongfully imprisoned Without;

" Probable Cause".

(13) On 12-17-2015, Plaintiff Appeared Before Defendant, Talladega County Senior Circuit Court Judge Julian M. King represented by BENNETT WEBB, which was Ineffective and Failed to Represent the Plaintiff, On 12-8-2015 Defendant BENNETT WEBB, allowed Defendant, Talladega District Court Judge M. Ryan Rumsey "a Neophyte" to Bound the Plaintiff Case over to the,

State of Alabama, Talladega County (Grand Jury) Circuit Court, November Term 2015.

by a "Sham Preliminary Hearing", The Plaintiff has the right, to be free from an Arrested and Imprisoned by methods that Constitutionally forbidden, Without Due Process of Law, Defendant Talladega County Assistant Circuit Court Clerk

(8-) of (-41) cont #⑬ Statement of Facts

Did Not and Could Not, GIVE a Judicial Determination of  
"Probable Cause"

NOT being a Judge or Magistrate, Being the Commands of  
the (4th) Fourth Amendment, and the  
(14th) Fourteenth Amendment, and the Bill of Rights.

⑭ On 12-8-2015 Defendant Talladega County District  
Court Judge M. Ryan Rumsey Failed to Comply, with the  
Elementary Principles of Procedural Due Process of Law,  
Acting his Judicial Capacity under the "PRETENSE of Law"  
had No Jurisdiction of Subject Matter before him,  
after him saw that he;

"Nigger you Did It Form Complaint / Affidavit / Arrest  
Warrant!"

Was Invalid on its face, the (4th) Fourth Amendment(s)  
Probable Cause requirements before a Warrant for Arrest can ISSUE  
require that the "Judicial Officer" issuing such a Warrant  
be Supplied with Sufficient Information to Support an Independent  
Judgment that Probable Cause Exist for the Warrant, and he  
Bound the Plaintiff cause #

D.C. 2015-10-0719

over the Grand Jury, Exercising Usurped Authority

(g-) of (-41) cont # ⑯ Statement of Facts

and for the exercise of such Authority when Judge Rumsby knew, or should have known, the want of Jurisdiction, would be palpably in excess of his Jurisdiction, and was done maliciously and corruptly.

⑯ The Talladega County "Grand Jury" It may consider incompetent evidence, but it may not itself violate a valid privilege established by the

- (a) Constitution
- (b) Statutes or;
- (c) the Common Law.

The Grand Jury is "Without Power" to invade a (Privacy) (Liberty) Interest Protected by the Warrant Clause, of the (4<sup>th</sup>) Fourth Amendment, and the Procedural Due Process Clause of the (14<sup>th</sup>) Fourteenth Amendment. Furthermore; here the Grand Jury failed to investigate the information before them, and Disregarded the requirements of the;

(4<sup>th</sup>) Fourth and (14<sup>th</sup>) Fourteenth Amendments, solely to "Obtain" an Indictment Substantially Negated by the Unconstitutional Arrest.

Defendant Talladega County Chief Deputy District Attorney Christina Kilgore, Presented False Documentary Evidence to the Grand Jury, and became Partners for illegal Conduct, and Unconstitutional Invasion of the Plaintiff's "Liberty".

10-) of (41.) con # ⑯ Statement of facts

and the open to Evidence secured by Defendant Talladega County Deputy District Attorney Christina Kilgore official Lawlessness in Violation of the (4<sup>th</sup>) fourth, and (14<sup>th</sup>) Fourteenth Amendments Rights of the Plaintiff.

⑯ On 1-24-2011 Defendant Talladega County Marriages Task Force Officer, Jason Blankenship filed a

"A Nigger you Did it Form Complaint/Affidavit/Ares  
Warrant"

in Violation of the (4<sup>th</sup>) Fourth Amendment,

SEE Exhibit ⑯

Defendant Talladega County William (Bo) Hollingsworth III was presented with:

Exhibit(8)

which Defendant Blankenship, simply inserted the Plaintiff Name and address, therein, and which was Unaccompanied by a Separate Affidavit, then Defendant Blankenship presented it, here:

"Nigger you did it Form Complaint/Affidavit/Ares  
Warrant"

To Defendant Talladega County Circuit Judge William Bo Hollingsworth, who ISSUED an Arrest Warrant solely on the Basis of a Deficient Complaint/Affidavit Arrest Warrant, was Invalid upon Issuance, by Defendant

(JL) of E ) cont # ⑯ Statement of facts,

Talladega County Circuit Court Judge William E. Hollingsworth,  
in Violation of the  
⑭) Fourth and ⑯) Fourteenth  
Amendments,

⑰ On 3-21-2012, Talladega County Senior Circuit Court  
Judge Julian M. King Imposed a Sentence of

15 years - Split - Serve 3 yrs

Case # 2011-491-70

3 yrs Probation, Date of Probation - 3-16-2015

in violation of the ⑭) Fourth Amendment; That No Warrant shall Issue  
but upon Probable Cause, supported by Oath or affirmation, here a Warrant  
was ISSUED;

On the Belief Summary;

"An Nigger you Did It Form Complaint / Affidavit / Arrest  
Warrant,

Unaccompanied by an Affidavit, there was no showing  
of Probable Cause, a Criminal Complaint consisting of nothing  
more than the Complainants (Defendant Jason Blankenship)  
conclusion that the Plaintiff named therein Perpetrated the  
offense "Described in the:

"Nigger you Did it Form Complaint /

12-) of (-AI) cont # ⑯ Statement of Facts

Affidavit / Arrest Warrant:

"Cannot Support" a "Finding of Probable Cause" by a

"Judge or Magistrate"; sending the Plaintiff to Prison; Invoke the (13<sup>th</sup>) Thirteenth Amendment;

Neither Slavery, Nor Involuntary Servitude except as a punishment for "Crime" whereof the Party shall have been

Duly convicted, shall exist within the United States, or Any place subject to their Jurisdiction.

Plaintiff was Unconstitutionally Arrested, and falsely Imprisoned, By the Thirteenth Amendment, Slavery was Abolished, In Order to Secure Equality of Treatment of the "Black Man"

A.K.A. "Nigger" (to the Good Ole Boys! of the South) the (14<sup>th</sup>) Fourteenth Amendment was Adopted to Rid Discrimination Because of Color, the Necessary Protection of the Freedmen, was the most Powerful Impulse Behind the (14<sup>th</sup>) Fourteenth Amendment; Section (1)

"All persons born, or Naturalized in the United States, and Subjected to the Jurisdiction thereof, are Citizens of the United States, and of the State (Alabama) wherein they Reside," No State (Alabama) shall make or Enforce any law which

(13-) of (-41) cont# (17) Statement of Facts

shall abridge the Privileges or Immunities of Citizens of the United States; Nor shall Any State (Alabama) Deprive any Persons of (rights) Life, Liberty, or Property Without Due Process of Law; Nor Deny to Any Person (the Plaintiff) within its Jurisdiction the Equal Protection of the Laws,

(18) Therefore; the

Nigger you Did It Form Complaint / Affidavit / Arrest Warrant,

Was Insufficient, where it merely Recites the Elements, without a "Disclosure" regarding Why it Appears to Defendant, Jason Blankenship, that the Plaintiff Performed those Elements;

The (4th) Fourth Amendment requires the State (Alabama) to Provide a fair and Reliable Determination of Probable Cause as a Condition for Any significant Pre-Trial Restraint of Liberty, the Probable Cause Determination Must be Made by a Judicial Officer Either before or Promptly after Arrest.

Defendant Jason Blankenship should Not have sought the Arrest Warrant, Without Probable Cause, and Defendant Talladega County Circuit Court Judge William "Bo" Hollingsworth Should Not have, Issued;

The Nigger you Did It Form Complaint / Affidavit / Arrest Warrant, Without Evidence of Probable Cause.

SEE Exhibit (8)

(4) §(41) Statement of Facts

(1) On 10-13-2016, Plaintiff Appeared before Defendant Talladega Circuit Court Judge William "Bo" Hollingsworth, on a Suppression Hearing; on  
The Nigger you Did It Form Complaint / Affidavit / Arrest Warrant; on (2) Two Grounds;

(1) That Defendant Talladega County Assistant Circuit Court Clerk Exceeded Her Scope of Authority, and Violated the Warrant Clause of the (Am) Fourth Amendment, on THE ISSUANCE; and

(2) The Nigger you Did It Form Complaint / Affidavit / Arrest Warrant; was

Unaccompanied by a SEPARATE AFFIDAVIT, merely Contained a Statement that the OFFENSE was Committed by THE "Plaintiff" on a Certain Date (10-2-2015)

Defendant Talladega County Assistant Circuit Court Clerk Party Davenport, Could Not and Did Not Make a Judicial Determination of Probable Cause was no Showing of Probable Cause in THE Complaint, which was Unaccompanied by Affidavit, and THE Assistant Clerk, NOT BEING a Judicial Officer

SEE Exhibit(s) (4) and (5) and;

Did Not and Could Not make a Probable Cause Determination

(15-) of (41) cont # ⑯ Statement of Facts

From the:

"Nigger you Did It Form Complaint / Affidavit / Arrest Warrant; and, THE Arrest Warrant was Invalidly Issued."

Talladega County Assistant District Attorney Defendant Jacob Argo, and Defendant, Talladega County Circuit Court Judge William "Bo" Hollingsworth, violated the Plaintiff(s) Civil Rights, the,

"Nigger you Did It, Form Complaint / Affidavit / Arrest Warrant"

Was Willfully issued in Violation of the (4<sup>th</sup>) Fourth and (14<sup>th</sup>) Fourteenth, and the Arrest was without "Probable Cause" and resulted in the False Imprisonment of the Plaintiff, and Deprived him of his Constitution Rights to Procedural Due Process, and Equal Protection Clause(s) of the Bill of Rights

- (a) the Fourth (4<sup>th</sup>); and
- (b) the Fifth (5<sup>th</sup>); and
- (c) the Sixth (6<sup>th</sup>); and
- (d) the Eighth (8<sup>th</sup>); also their incorporation into

The  
(E) Fourteenth (14<sup>th</sup>) Amendment, was  
Clearly Established Statutory and Constitutional Rights, of which  
a Reasonable Person would have Known, On-10-19-2016  
Defendant Talladega County Circuit Judge, William E.  
Hollingsworth, Denied Plaintiff's Motion to Suppress  
The Complaint and Warrant Motion, SEE Exhibit-(9)

16-) of (41) Statement of Facts

(19) On 12-8-2015, case # 2015-10, 0719, was bound over to the Grand Jury, and on 2-4-2016, Talladega County State of Alabama, November Term returned;

(2) Two (Fraudulent)

(Defective)

(Insufficient) and; Each Indictment

(Invalid) on its Face,

The Grand Jury "Was" Without Power To Invade a (Liberty) Interest Protected by THE Warrant Clause, of THE (4<sup>th</sup>) Fourth and THE Procedural Due Process Clause of THE (14<sup>th</sup>) Fourteenth Amendment.

(20) The State of Alabama, Talladega, County November Term Grand Jury Failed to Investigate THE Information before them, and Disregarded THE Requirement of THE (4<sup>th</sup>) Fourth and THE (14<sup>th</sup>) Fourteenth, Solely to Obtain an Indictment, Negated by THE Unconstitutional Arrest Warrant Issued by Defendant Talladega County Assistant Circuit Court Clerk, Patricia (Party) Fuller Davenport Being an Non-Judicial Officer;

SEE Exhibit(s) (4) and (5)

(8) of (-41) Statement of Claims

(22) On 3-21-2012, Defendant Talladega County Senior Circuit Court Judge Julian M. King Sentenced the Plaintiff to an Constitutional Sentence, in Violation of the Bill of Rights (the)

- (a) (4th) Fourth Amendment Warrant Clause,
- (b) (5th) Fifth Amendment, Indictment Clause and the Double Jeopardy Clause.
- (c) 6th Sixth All Clauses
- (d) 8th Eighth Amendment Cruel and Unusual Punishments Shall Not be Inflicted Clause, To 15 yrs Split, SERVE 3 yrs, and the Substantive Due Process Clause of the (14th) Fourteenth Amendment, and Equal Protection Clause and Defendant Talladega County District Attorney Steven Dale Giddens, Conspired with the Other Defendants, to Impede hinder, Obstruct and Defected the Due Process of Justice to Effectuate Prohibition, by Having "Sham Trials in Clear Absence of all Jurisdiction, of Law and Without Any Reasonable or Colorable Cause, Willfully Conspired together Acting under Color of State Law (Alabama), Maliciously Entered to A Scheme, and Deprived the Plaintiff, of Liberty

Secured by the Constitution and the Laws of the United States.

(23) On 10-2-2013 Plaintiff was unlawfully Arrested by Defendant City of Sylacauga Police Officer David Kimbrough and City of Sylacauga Police Investigator Mike Moore, was without Probable Cause in Violation of the Warrant Clause of the (4th) fourth Amendment, and the Procedural Due Process Clause of the (14th) Fourteenth Amendment.

19-FOP-(41) cont #23) Statement of Claims

On Exhibit #1, Defendant State of Ala Board of Pardons and Paroles (Probation) Officer, States

(a) Charge # (1) Violation of Condition # (1)

NEW OFFENSE; Attempting to Elude a Police Officer

(b) Charge # (2) Violation # (12) Failure to pay  
Supervision FEES

(c) Charge # (4) Violation # (15) Failure to pay  
Court ordered money; and on

Exhibit # (2) Charge # (3) Violation of Condition  
Charge # (1) NEW OFFENSE;

Robbery Third (3rd)

(24) On 11-6-2015 Defendant(s) of the Sylacauga Police  
DEPT, Mike Moore, David Kimbrough, and Mike Smith after  
Magistrate Shoppong for 34 days, Failed to Find a  
Judicial Officer (Judge or Magistrate) That License  
by the State of Alabama to Practice Law, found  
Defendant Talladega County Assistant Circuit Court  
CLERK,

SEE Exhibits (4) and (5)

Willfully Conspired with the Other Defendants to Impede  
Hinder, Obstruct and Defeat the Due Process of Justice,

20) of (-41) cont# ②④ Statement of Claims

With Defendant State of Ala, Pardons and Paroles (Probation) Officer, Timothy Hall, Arbitrarily and Capriciously, Without Authority of Law, and Lacked Probable Cause, Conspired Together, Willfully and Maliciously Entered a Scheme, Acting Under Color of State (Alabama) Law, Deprived the Plaintiff of his Liberty, Contrary to Law, of Equal Protection of Law, Secured and Protected by THE Constitution and Laws of THE United States,

⑤ On 12-8-2016, Plaintiff Appeared Before Defendant Talladega County District Court Judge M. Ryan Ramsey, for a Preliminary Hearing to, Whether there is Probable Cause, to Submit Evidence to a "Grand Jury" for further Consideration, Here The Talladega County Assistant Circuit Court Clerk, Defendant Trinity Davenport, Exceeded Her Scope of Authority

SEE Exhibit(s) (4) and (5)

in Violation of the Warrant Clause of the (4th) Fourth Amendment requires the State of Alabama to Provide a "fair and Reliable" determination of Probable Cause as a Condition for Any significant pre-Trial Restraining of Liberty, and the Probable Cause Determination "Must be made by a Judicial Officer, Either before or Promptly after Arrest, The Alabama Judicial Inquiry Commission Stated, That the Person you have "Named" on your Complaint, is Not A Judge.

SEE Exhibit (5)

21) of (41) cont # 25 Statement of Claims

and on 2-4-2016, the State of Alabama, Talladega County Circuit Court, November Term 2015, Returned

- (a) Count (1) one Robbery, Third Degree and;  
(b) Count (2) two Attempted Theft of Property First Degree,

(26) The Grand Jury, may consider incompetent Evidence but it may not itself violate a valid Privilege, whether established by the Constitution, Statutes or the Common Law, but the Grand Jury is without power to invade a legitimate Liberty Interest Protected by the (4th) Fourth Amendment, and the Procedural Due Process of the (14th) Fourteenth Amendment.

(27) On 12-8-2015, Talladega County District Court Judge Defendant M. Ryan Runsey, Talladega County District Attorney Steven Dale Giddens, Acting under color of State (Alabama) Law, Intentionally and with Reckless Disregard willfully Deprived an Inhabitant of the United States, of his Rights "Liberty", Secured and Protected by the Constitution and Laws of the United States.

(28) On 2-4-2016, Talladega County, State of Alabama, Returned  
(2) Two Counts  
SEE Exhibit(s) "J", (a) and (b)

(22) of (41) cont # (28) Statement of Claims

In violation of the Indictment Clause of the (5<sup>th</sup>) Fifth Amendment and (14<sup>th</sup>) Fourteenth Amendment, The Grand Jury was without Power to Invade a legitimate Liberty Interest Protected by the (4<sup>th</sup>) Fourth and (14<sup>th</sup>) Fourteenth Amendment,

The Grand Jury Known or Should have known, That the;

"The Nigger you Did It" Form Complaint / Affidavit / Arrest Warrant, Was Unconstitutional, THEY Transgressed, a Clearly Established Constitutional Rule, & Willfully, Acting under Color of State (Alabama) Law, in Open Defiance of the Prohibition of the Constitution, Intended for the Protection of the Plaintiff against Such Unauthorized Actions, Arrested and Imprisoned an Inhabitant of the United States, and Deprived the Plaintiff of his Liberty, Secured, and Protected by THE Constitution and Federal Laws, of the United States.

(29) On 11-6-2015, Defendant Sylacauga Police Dept, Investigator Warrant Affiant, Mike Smith Applied for the Exhibit(3) a;

"Nigger you Did It" Form Complaint / Affidavit / Arrest Warrant admitted to Defendant Talladega County Assistant Circuit Court Clerk Party Davenport, Knowingly and Intentionally, Unaccompanied by a SEPARATE Affidavit, Furthermore the Supreme Court Outlawed the Form Complaint / Affidavit / Arrest Warrant,

23-) of (-41) cont # (29) Statement of Claims

SEE Exhibit (3)

consisting of Nothing more than Defendant Sylacauga Police Dept  
Investigator Mike Smith, Conclusion in Violation of THE Warrant  
Clause of THE (4th) Fourth Amendment,

"No Warrant Shall Issue, but upon Probable Cause"  
that THE State of Law, of Alabama, to provide a Fair and Reliable  
Determination of Probable Cause as a condition for Any Significant  
Pre-trial Restriction of Liberty, Furthermore, THE Probable Cause  
Determination must be made By a Judicial Officer either before  
or Promptly After Arrest, that the Plaintiff therein perpetrated THE  
offense described in THE; that the Plaintiff therein perpetrated THE

"Never you Did It Form Complaint / Affidavit / Arrest Warrant,"

SEE Exhibit (3)

cannot support a finding of Probable Cause by a Judge or  
Magistrate, Let alone

Defendant Talladega County Assistant  
Circuit Court Clerk, Patty Davenport, for the Purpose of THE  
Issuance of an Arrest Warrant,

SEE Exhibits (4) and (5),

THE (4<sup>th</sup>) Fourth Amendment, as Incorporated in THE (14<sup>th</sup>) Fourteenth  
Requires that a Hearing Be held at the Plaintiff's Request,

24-) of (-41)

Statement of claims

(30) On 10-13-2016, Plaintiff appeared before Defendant Talladega County, Circuit Court Judge William E. Hollingsworth III, for a suppression hearing on the:

Nigger you did it form Complaint, / Affidavit / Arrest Warrant,

Issued by Defendant Talladega County Assistant Circuit Court Clerk, Patty Davenport, in violation of the Warrant Clause of the Requirements of the;

(4th) Fourth Amendment, and she failed to comply with the Elementary Principles of Procedural Due Process of the  
(14th) Fourteenth Amendment.

And Defendant Hollingsworth, Acting in clear Absense of all Jurisdiction over the Subject Matter, the Judicial Inquiry Commission Stated; on

Exhibit (5)

that Defendant Davenport was "NOT A JUDGE", and she Did Not and Could Not, Give a Judicial Determination of Probable Cause, of the Commands of the (4th) Fourth Amendment and Defendant Talladega County Circuit Court Judge William E. Hollingsworth, in Open Court Stated he Had;

Personal knowledge that,

Defendant Talladega County Assistant Circuit Court

25-) of (-41) cont # ③〇 Statement of Claims

Clerk, was in "fact" a Talladega County "Magistrate Judge"

"The Clerks Duties, are to receive Traffic fines, Prepare the Court's Dockets, and Records, Fill out Commitment Papers, and perform Clerical Tasks,

Apparently she may issue subpoenas,

She "May Not" however sit as a "Judge", and she "May Not" issue a "Search Warrant" on "Even a Felony" or "Misdemeanor" "Arrest Warrant" for

### Violations of State Laws (Alabama)

Defendant Talladega County Circuit Court Judge William E. Hollingsworth, Known or Should have Known, Mandating the

(4<sup>th</sup>) Fourth Amendment,

There was clearly, No Jurisdiction over the Subject Matter, and Any Authority He Exercised is a Usurped Authority and, for the Exercise of Such Authority when the want of Jurisdiction, was known to Defendant Talladega County Circuit Court Judge, No Excuse is Permissible, the Probable Cause determination is required by the;

"(4<sup>th</sup>) Fourth Amendment";  
and the "sole" ISSUE, is whether there is;

"Probable Cause"

76.) of (-41 ) cont # ⑩ STATEMENT OF CLAIM

for Detaining the Plaintiff, for Pending further Proceedings  
and the Talladega County Assistant Circuit Court Clerk,  
Defendant Party Davenport, Could Not and Did Not make  
that, Judicial Determination of Probable Cause, and  
Defendant(s)

(1) Sylacauga Police Investigator Mike Smith;  
(2) Talladega County Assistant Court Clerk,  
Party Davenport;

(3) Talladega County District Attorney Steve  
Griddens;

(4) Talladega County Chief Deputy District  
Attorney Christina Kilgore;

(5) Talladega County District Judge M.

R. Rumsey;

(6) Talladega County Circuit Judge  
William (E) "Bo" Hollingsworth, and;

(7) Talladega County "Senior" Circuit  
Court Judge, Julian M. King;

Willfully Conspired Without Any Jurisdictional Authority  
and Without  
Probable Cause

Together, Maliciously Entered into "A Scheme," Which

27-) of (a1) cont # (30) Statement of Claim

The Defendant(s) Acted with "Deliberate Indifference" Violating the Bill of Rights which is Incorporated in the (14<sup>th</sup>) Fourteenth, and Deprived the Plaintiff of His "Liberty" Contrary to Law, Arrested and Imprisoned the Plaintiff Acting Under Color of State (Alabama) Law, an Inhabitant of the United States, for the Purpose of Extortion, Deprived the Plaintiff - - of "his Liberty" SECURED and - - Protected by the Constitution and Laws of the United States,

(31) On 12-10-2015, Defendant State of Ala, Board of Pardons and Paroles ( Probation Officer, Timothy Hall, an Subordinate Defendant) Paroles and Probation Officer, Supervisor Smoot, an Subordinate of the State of Alabama Board of Pardons and Paroles, along with the City of Sylacauga DEPT, County of Talladega, and State of Alabama, in Violation of the;

Bill of Rights, Incorporated into the (14<sup>th</sup>) Fourteenth Amendment, Equal Protection Clause, Racial Discrimination Clause, False Imprisonment Clause and the Procedural Due Process Clause, Deprived a "Human Being" Acting under Color of State Law (Alabama) "His" - - "Liberty" Secured and Protected by the Constitution and Law of the United States,

SEE Exhibit(s) (1),(2),(3),(4) and

(5),

28) of (41)

## Statement of Claims

(31) On 3-12-2012, Plaintiff was Committed to the Alabama Dept. of Corrections (on) Case # CC-2011-491 that was unconstitutional, in violation of THE (4th) Fourth Amendment Warrant Clause, and the State of Alabama Failed to Comply with the Elementary Principles of Due Process, of the (14th) Fourteenth Amendment,

The Nigger you Did It Form Complaint / Affidavit / Arrest Warrant,

Cannot Support a finding of "Probable Cause" Issued by a Judge or Magistrate for the Purpose of the Issuance of An:

"Arrest Warrant"

See Exhibit (8)

and the Plaintiff was falsely Imprisoned, from 3-21-2012 to 3-16-2015, and the State Dept of Correction Commissioner Duties, is to Insure, Every Inmate Sentence to the State Corrections DEPT, which Comes into the System, Constitutional Rights Was NOT Violated, in the Meaning of the Equal Protection Clause of the (14th) Fourteenth Amendment, and the Constitutionally Impermissible Conduct, the Talladega County Defendants violated;

"Clearly Established Constitutional Rights of the Plaintiff of Which a Reasonable Person would have Known, and has Willfully Deprived the Plaintiff of Liberty Without Due Process of Law, by way of the Bill of Rights and the (14th) Fourteenth,

29) of (41) cont # ③1 Statement of Claims

Amendment,

(32) On 12-17-2015, Defendant Talladega County Senior Circuit Court Judge Julian M. King Revoked the Plaintiff Probation on CC - # 2011-491, in Violation of the (4th) Fourth Amendment,

Exhibits(s) - SEE (4) and (5)

Without Any Jurisdictional Authority, Defendant Talladega County Assistant Circuit Court Clerk, Could Not, and Did Not Make a Judicial Determination of Probable Cause, as Mandated by THE Commands of THE Requirements of the (4th) Fourth and THE Procedural Due Process of THE (14th) Fourteenth Amendment, and the Plaintiff Was Falsely Imprisoned, and the Defendant(s)

Alabama Dep't. of Corrections,

Warden of the St. Clair Correctional Facility, Defendant (Mr. Estes - Warden) a Subordinate of Mr. Commissioner of the Alabama Dep't. of Corrections, a Subordinate of THE State of Alabama, a Subordinate of Governor Robert Bentley of THE Great State of Alabama, Misuse of Power by Virtue of State (Alabama) Law, Acting under Color of State of (Alabama) Law, Willfully Deprived the Plaintiff of his liberty, Secured by THE Constitution, and Laws of THE United States.

30-) of (-41) Statement of Claim

(33) On 3-21-2012, The Plaintiff was Not Duly Convicted  
of "Possession of Cocaine".

SEE Exhibit "8"

"The Niggle you Did It form Complaint / Affidavit / Arrest  
Warrant, D.J. did not meet the requirement of the (4th) Fourth  
Amendment,

Because it contain "No Affirmative Allegation, Defendant  
Jason Blankenship spoke with Personal Knowledge of the Matters  
contained therein, Failed to Indicate any sources of the  
Complainants Belief" and neglected to "SET forth basis upon  
which a finding of Probable Cause Could be Made, Invoked

the Thirteenth (13<sup>th</sup>) Amendment, Section (1) Neither "Slavery"  
Nor Involuntary Servitude, Except as a "Punishment" for Crime,  
Wherefore the Party (Plaintiff) Shall have been "Duly (Afforded DUE-  
Process of Law) Convicted, Shall Exist within THE United States, or  
Any Place Subject to their Jurisdiction; the (14<sup>th</sup>) Fourteenth Amendment  
Guarantee that "No State (Alabama) Shall Deprive any Person  
of their "Liberty" Rights Liberty and Property =, Without  
DUE Process of Law,

THE Defendant(s) Have Willfully Invoked  
Slavery, in violation of the (13<sup>th</sup>) Thirteenth Amendment, which  
was in Violation of the Warrant Clause of the Supreme Law of  
the (4th) Fourth Amendment, and was in Clear Absence of  
All Jurisdiction over the Subject Matter, and Failed to Comply

31-) of (-41-) cont # ⑬ Statement of claim

with the Elementary Principles, of Procedural Due Process  
of the (14<sup>th</sup>) Fourteenth Amendment; and Willfully-

Acting Under Color of State (Alabama) Law Deprived an  
"Human Being", Kidnapped,

Definition(s)

(1) Arrest;

by "Authority of Law"; To Take or KEEP in Custody

(2) Kidnap.

by "Unlawful Force"; To Carry (Any ONE (1)) away

an Inhabitant of the United States for the "Purpose of  
Extortion, Deprived the Plaintiff, Without Authority of Law  
and Without any Reasonable or Colorable Cause, Conspired to-  
gether Maliciously Entered into a "Scheme" and Deprived THE  
Plaintiff of "Liberty"

Secured, by THE Constitution and THE Laws of THE  
United States.

⑭ From 12-8-2015, to 10-25-2016, Defendant Bennett Henry  
Webb, Has BEEN Co-Conspirator, with Defendants, TALLADEGA  
County, Sr. Circuit Court Judge,

(1) Julian M. King

32-5 of C-41 ) cont # ③ ④ Statement of Claims

(2) Circuit Judge William E Hollingsworth

(3) Chief Deputy District Attorney Christina Kilgore

(4) Assistant District Attorney Jacob Argo

(5) District Attorney (the Infamous) Steven Dale Giddens,

Defendant Webb is an officer of the Court and as a part of the Judicial System, is charged with upholding the law, and the Constitution of Alabama and the United States, Defendant Webb, has allowed the State of Alabama, Drag his Client, Up and Down on Discriminating Highway of Civil Rights Violations and have "Invalidated" the Bill of Rights, and the (4<sup>th</sup>) Fourteenth Amendment's Substantive and Procedural Due Process was violated, where the (4<sup>th</sup>) Fourth Amendment Violations has been Substantial and Deliberated, With their Unconstitutional Introduction "Draconian Laws" such as the;

"Nigger you Did It Form Complaint / Affidavit / Arrest Warrant"

"Thats been outlawed since 1958"

Defendant BENNETT H. Webb, knew of the Reckless Falsity of the,

"Nigger you Did It Form Complaint / Affidavit /

33-) o p(-41) cont # ③4 Statement of claim

Arrest Warrant;

Was Based and Defendant Talladega  
County, Assistant Circuit Court Clerk, Patty Davenport  
Was Not a Judge, Nor Magistrate,

"In All Criminal Prosecutions, The Plaintiff shall Enjoy  
The Right to have the Assistance of Counsel for his

"Defence"

and the Bill of Rights which Are Fundamental Safeguards  
of "Liberty" Immune from Federal Abridgment Are Equally Against  
the State of Alabama, Invasion, By the

Due Process Clause of the (14<sup>th</sup>) Fourteenth

"Amendment"

Defendant (Plaintiff(s)) Attorney Conspired; Willfully with  
the State of Alabama Defendant(s) above, Without Any  
Authority of Law, Entered Into a "Scheme" and Deprived the  
Plaintiff of Equal Protection of Law, Acting Under Color  
of State of Alabama Law, Deprived the Plaintiff of His  
"Liberty Contrary to Law"

Secured by the Constitution and Laws of the  
United States.

34-) of (-41)

## RELIEF Sought

(1) Defendants Sylacauga Police Officers, David Kimbrough and Investigator(s) Mike Moore and Mike Smith, are Subordinates of Chief Kelly Johnson, a Subordinate of Mayor Doug Murphree, a subordinate of the City of Sylacauga, a Subordinate of the State of Alabama.

(2) Defendant Talladega County ADA Jacob Argoo a Subordinate of, Defendant Talladega County Chief Deputy District Attorney Christina Kilgore, A Subordinate of J District Attorney Steven Dale Giddens, a Subordinate of State of Alabama Attorney General Luther Strange, a Subordinate of the Governor of Alabama, Robert Bentley, a Subordinate of the Great State of Alabama.

(3) Defendants(s) Talladega County Assistant Circuit Court Clerk Tatty Davenport, a Subordinate of Talladega County Circuit Clerk, Brian York, a Subordinate of Chief Justice of Alabama Judge Roy Moore a Subordinate of the Governor of Alabama, Robert Bentley, a Subordinate of the Great State of Alabama.

(4) Defendants(s) Talladega County District Judge M. Ryan Kumbley also, Talladega County District Judge Jeb Fannin, also Talladega County Circuit Judge William "Bo" Hollingsworth and Talladega County Senior Circuit Court Judge Julian M. King, Subordinates of Alabama Chief Justice Roy Moore, a Subordinate of Governor Robert Bentley of the State of Alabama, and a Subordinate of the State of Alabama.

35) of (-41) Relief Sought

(5) Defendant(s) State of Alabama Pardons and Paroles Board Officer(s) Timothy Hall, an Subordinate of James Snoot, a Subordinate of Governor Robert Bentley of the State of Alabama, a Subordinate of the Great State of Alabama.

(6) 42-U.S.C 1983 Provides in pertinent Part;

Which came on the Books as Section(1) of the Ku Klux Klan Act of April 20, "1871"

17 Statute 13

"Every Person" Who, under color of Any Statute, Ordinance, Regulation, Custom or Usage, of Any State or Territory or the District of Columbia Subjects, or Causes to be Subjected, any Citizen of the United States or other person within the Jurisdiction thereof to the Deprivation of any Rights, Privileges, or Immunities Secured by the Constitution and Laws Shall be Liable to the Party injured in an Action of law, Suit in Equity, or other Proper Field for Redress.

(7) Defendant(s) Sylacauga Defendant(s) Kimbrough, Moore, Smith Johnson and Murphree Willfully Violating the Plaintiff(s) Civil Rights, and Shall be tried in their Official Capacity.

(8) Defendant(s) of the Talladega County District Attorney's Office Avie Kilkore and Giddens, Willfully Violated the Plaintiff Civil Rights, and Shall Be Sued in their Official Capacity.

367 of (-41)

## Relief Sought

- (9) Defendant(s) Talladega County Circuit Court Clerks, Patty Davenport and Brian York, Willfully violated the Plaintiff Civil Rights, and Shall be Sued in their Official Capacity.
- (10) Defendant(s) Talladega County (Judicial Officials) District Judge M. Ryan Rumsey, District Judge Jeb Fannin, Circuit Judge William "Bo" Hollingsworth and Senior Circuit Judge Julian M. King, Willfully Violated the Plaintiff Civil Rights, and is to be Sued in their Judicial Capacity.
- (11) Defendant(s) State of Alabama Pardons and Parole Board, and its Officers Timothy Hall, and James Smoot, Willfully Conspired with the Talladega County Defendants and Violated the Plaintiff(s) Civil Rights, Are to be Sued in their Official Capacity.
- (12) Defendant(s) Alabama Dept. of Corrections, and its Commissioner, (Name N/A) and Warden(I) Estes, of the Saint Clair Correctional Facility, Willfully Falsey Imprisoned the Plaintiff, in Violation of the Warrant Clause of the 4th Fourtth Amend. that No Warrant Shall Issue, but Upon a finding of Probable Cause, and the Procedural Due Process Clause of the (4th) Fourteenth Amend., Which Violated the Plaintiff's Civil Rights, and is to Be Sued in their Official Capacity.

37) of (41) Relief Sought

(13) Plaintiff, SEEKS Declaratory Relief, That

ME, Niesser you Did It, Form Complaint / Affidavit / Arrest Warrant.

SEE Exhibit (8)

Issued by Talladega County Circuit Judge, William E. Hollingsworth, Be Declared "Unconstitutional" on the Grounds

The Plaintiff(s) Constitutional Rights was Violated Knowingly and Deliberately.

(14) On 11-6-2015 Talladega County Assistant Circuit Court Clerk, Patty Davenport ISSUED,

"A Niesser you Did it Form Complaint / Affidavit / Arrest Warrant,"

See Exhibit (3) Plaintiff SEEKS to have the Complaint Declared Unconstitutional, Defendant Patty Davenport, Could not and Did not make an Judicial Determination of Probable Cause,

38) of (-41) cont of # (16) Relief Sought

of the Commands, of the (4<sup>th</sup>) Fourth Amendment, and has Failed to Comply with the ELEMENTARY Procedurals of THE PROCESS of Law, of the (14<sup>th</sup>) Fourteenth Amendment and,

Discharge her Duties in a way that strayed beyond her limits As a Talladega County Assistant Circuit Court Clerk, Violated the United States Constitution, and the Bill of Rights, which INVOKES the (14<sup>th</sup>) Fourteenth Amendment, She Known or Should have Known, She Transgressed a Clearly Established Constitutional Right of the Plaintiff, without Fear of Liability, and ... Constitutional Rules.

(15) Plaintiff's Seeking:

Injunctive Relief,

This Pro-longed Detention has, Interrupt the Plaintiff Source of Income, and Impaired, the Plaintiff Life with his Wife Children and Grand Children.

(16) Plaintiff, SEEKS, Trial By Judge and Jury;

(17) Plaintiff SEEKS, All Court Cost, and, ATTORNEY FEES, Be Paid, by the State of Alabama,

(18) Plaintiff SEEKS, Compensatory Damages, ; and

(1) Pencuniary Losses; and

(39) of (41) cont of # ⑯ Relief sought,

(2) Non-pecuniary Losses

(a) Emotional Pain, Suffering, Inconvenience  
Mental Anguish, and Loss of Enjoyment of Life,

⑯ Punitive Damages

(a) Purposeful Discrimination, Reckless Indifference,

⑰ Conclusion

4) On 10-3-2015, the Plaintiff, was Robed of his  
liberty, Freedom, by the Pretense that a County Circuit  
Court Clerk, was a,

Neutral and Detached Magistrate,

he/or/she is, for Municipal Court Ordinances; Under  
the Supervision of a Municipal Court Judge, the State of  
Alabama (Talladega) County have Undermined the United  
States Constitution, and made the Plaintiff a Slave  
Within the Thirteenth (13<sup>th</sup>) the Plaintiff was not  
Duly Convicted,  
SEE Exhibit "8"

(41) of (-41)

## Conclusion

(22) On 10-13-2016, Defendant Talladega County Circuit Judge William, "Bo" Hollingsworth, REFUSED to Acknowledge, that his Personal Friend Defendant Talladega County Assistant Circuit Court Clerk, violated THE WARRANT Clause of the (4<sup>th</sup>) Fourth Amendment and THE THE PROCEDURAL-DUE PROCESS Clause of THE (14<sup>th</sup>) Fourteenth Amendment; and

Exceeded Her Scope of Authority, and Stood THE United States, Justice System on its Head.

I declare under Penalty of Perjury that foregoing is  
True and Correct

Executed on 12-26-16

Signature

Joseph McGelan

Address

1000 ST CLAIR Road  
SPRINGVILLE AL

35146

AIS# 265127

Exhibit (1)(A-B)



**STATE OF ALABAMA  
BOARD OF PARDONS AND PAROLES  
OFFICER'S REPORT ON DELINQUENT PROBATIONER**

Probationer	Joseph McAdams	Probationary Judge	King
PR Number	2008-006671	County	Talladega
Race, Sex, DOB	B/M; 4/30/57	Court	Circuit
Offense (s)	Possession of Cocaine	Case Number (s)	CC 2011-491, 70
Sentence	15 Years – Split – Serve 3 years	Date of Conviction	03/21/12
Date of Probation	03/16/15	Court Ordered Monies	\$3,049.00
Probationary Period	3 years	Court Monies Paid	None
Probation Expires	03/16/18	Date of Delinquency	
Supervision Fees	Owes \$200.00		

Last Known Address: 336 Wren Road, Sylacauga, AL 35150

**DELINQUENT CHARGE OR CHARGES**

**CHARGE NO. 1**

**VIOLATION OF CONDITION NO. 1**

**NEW OFFENSE: ATTEMPTING TO ELUDE A POLICE OFFICER**

2015 OCT -7 AM 10:17  
BIRMINGHAM CIRCUIT CLERK

went to court.  
Time served  
Tuesday.

**LEGAL FACTS:**

On 10/2/15, Joseph McAdams was arrested by the Sylacauga Police Department for the offense of Attempting to Elude A Police Officer in Case Number 2015-017015. Bond set in the amount of \$1,000.00. A Court date has not been set at this time. A Probation Officer's Authorization of Arrest was issued and executed on 10/2/15. McAdams is currently incarcerated at the Talladega County Jail.

**DETAILS:**

Joseph McAdams reported to the Sylacauga State Probation Office on 3/16/15. I explained the Order of Probation to him. He signed the order the same day and received a copy. The order specifically states do not violate any Federal, State or Local Law. On 10/2/15, Officer David Kimbrough of the Sylacauga Police Department was assisting Officer Thomas locating Joseph McAdams, who was wearing jeans and a jacket in the area of Miranda Villas Apartment in Sylacauga, AL. Officer Kimbrough entered the property and observed McAdams walking down Power Line Trail toward Old Birmingham Highway. Officer Kimbrough approached McAdams from James Payton Parkway, and pulled to the side of the road. Officer Kimbrough got out the vehicle to make contact with McAdams. Officer Thomas came over the radio and stated that McAdams saw him and ran back into the woods. Officer Kimbrough got back into his vehicle and drove to Power Line Trail towards McAdams. Officer Kimbrough exited his vehicle, and ran towards McAdams yelling at him to stop. McAdams looked back but continued running and climbed over the fence at the Landing Apartments. Officer Kimbrough unholstered his taser but McAdams began to run faster. Officer Kimbrough holstered the taser to

(1)-B

climb the fence. McAdams continued running through the parking lot of the Landing Apartments. Investigator Mike Moore pulled up and gave chase, catching McAdams behind the buildings near the woodline. Officer Kimbrough placed McAdams in handcuffs, and escorted him to Officer Thomas' patrol car. McAdams had a cut above his left eye that was bleeding. McAdams denied medical help. Investigator Mike Moore was injured while taking the male to the ground. Investigator Moore transported himself to the Coosa Valley Emergency Room where it was determined that he broke his left wrist. McAdams was arrested and charged with Attempting to Elude A Police Officer.

**CHARGE NO. 2****VIOLATION OF CONDITION 12  
FAILURE TO PAY SUPERVISION FEES****LEGAL FACTS:**

A Probation Officer's Authorization of Arrest was issued and executed on 10/2/15. McAdams is currently incarcerated at the Talladega County Jail.

**DETAILS:**

Joseph McAdams reported to the Sylacauga State Probation Office on 3/16/15. I explained the Order of Probation to him. He signed the order the same day and received a copy. When placed on probation, McAdams was instructed to pay \$40.00 per month in supervision fees. As of filing this report, McAdams owes \$200.00 in supervision fees. McAdams lasted reported that he was applying for disability.

**CHARGE NO. 4****VIOLATION OF CONDITION NUMBER 15  
FAILURE TO PAY COURT ORDERED MONEY****LEGAL FACTS:**

A Probation Officer's Authorization of Arrest was issued and executed on 10/2/15. McAdams is currently incarcerated at the Talladega County Jail.

**DETAILS:**

Joseph McAdaams reported to the Sylacauga State Probation on 3/16/15. I explained the Order of Probation to him. He signed the order the same day and received a copy. McAdams was instructed to pay \$100.00 per month toward his court ordered monies beginning 4/15/15. Our records reflect that McAdams has paid nothing towards his court ordered monies, leaving a balance of \$3,049.00. McAdams lasted reported that he was applying for disability.

**SUPERVISION SUMMARY:**

This is the first violation report filed on McAdams. He has failed to abide by his order of probation. McAdams is currently a suspect in a Robbery 3<sup>rd</sup> case that happened in Sylacauga, AL.

**RECOMMENDATION:**

I recommend that McAdams' probation be revoked.

Signed and dated at Sylacauga, Alabama, on the 7<sup>th</sup> day of October, 2015.



Alabama Probation and Parole Officer

*Exhibit (2) - (A and B)*

**STATE OF ALABAMA  
BOARD OF PARDONS AND PAROLES  
OFFICER'S REPORT ON DELINQUENT PROBATIONER**

<b>Probationer</b>	<u>Joseph McAdams</u>	<b>Probationary Judge</b>	<u>King</u>
<b>PR Number</b>	<u>2008-006671</u>	<b>County</b>	<u>Talladega</u>
<b>Race, Sex, DOB</b>	<u>B/M; 4/30/57</u>	<b>Court</b>	<u>Circuit</u>
<b>Offense(s)</b>	<u>Possession of Cocaine</u>	<b>Case Number(s)</b>	<u>CC 2011-491</u>
<b>Sentence</b>	<u>15 years – Split – Serve 3 years</u>		
<b>Date of Probation</b>	<u>03/16/15</u>	<b>Date of Conviction</b>	<u>03/21/12</u>
<b>Probation Period</b>	<u>3 years</u>	<b>Court Ordered Monies</b>	<u>\$3,049.00</u>
<b>Probation Expires</b>	<u>03/16/18</u>	<b>Court Monies Paid</b>	<u>None</u>
<b>Supervision Fees</b>	<u>Owes \$200.00</u>	<b>Date of Delinquency</b>	

Last Known Address: 336 Wren Road, Sylacauga AL 35044

*DELINQUENT CHARGE OR CHARGES  
SUPPLEMENT TO DR DATED 10/7/15*

**CHARGE NO. 3**  
**VIOLATION OF CONDITION NUMBER 1**  
**NEW OFFENSE: ROBBERY 3RD**

**LEGAL FACTS:**

On 11/6/15, Joseph McAdams was arrested by the Sylacauga Police Department for the offense of Robbery 3rd in District Court Case Number 2015-100719. Bond set in the amount of \$10,000.00. A Court date is set for 12/8/15 with Judge Ryan Rumsey. A Probation Authorization of Arrest was issued and executed on 10/2/15. McAdams is currently incarcerated at the Talladega County Jail.

Exhibit (2) (B)

**DETAILS:**

Jospeh McAdams reported to the Sylacauga State Probation Office on 3/16/15. I explained the Order of Probation to him. He signed the order the same day and received a copy. The order specifically states do not violate any Federal, State, or Local Law.

On 10/2/15, Carolyn McGrady was at her car in the front of Burke's Outlet located in Sylacauga, AL. McGrady was about to get into her car when someone grabbed her purse. McGrady screamed and let go of her purse. McGrady observed a black male who walked away, and ran towards the car wash. Ms. Abrams pulled up and asked what happened. McGrady told her that someone stole her purse. Ms. Abrams called the Sylacauga Police Department. McGrady waited for the Police for a while and then left. McGrady received a telephone call from her daughter, stating that Police needed to talk to her. McGrady was able to identify Joesph McAdams from a photo-line up at the Sylacauga Police Department. Investigator Mike Moore of the Sylacauga Police Department was injured pursing McAdams.

**SUPERVISION SUMMARY:**

McAdams' performance and progress on probation has been unsatisfactory.

**RECOMMENDATIONS:**

It is recommended that McAdams' probation be revoked.

Signed and dated in Sylacauga, Alabama the 10th day of December 2015.

  
\_\_\_\_\_  
Timothy Hall  
Parole/Probation Officer

th

Exhibit - 3

**SMOKING  
SMELTIN' JERRY KILGORE**

TA 570.94 8335 JBM

AFFIDAVIT AND WARRANT OF ARREST  
THE STATE OF ALABAMA,  
TALLADEGA COUNTY.

**DISTRICT COURT  
OF TALLADEGA COUNTY, ALABAMA**

## **COMPLAINT**

Before me, the undersigned authority, personally appeared (Mike Smith), who being duly sworn, says on oath that he has probable cause for believing, and does believe, that in said county and State, on or about the 2<sup>nd</sup> day of October, 2015, one (Joseph Bernard McAdams)

Did, in the course of committing a theft of, to-wit: Ladies Purse, the property of (Carolyn Ann McGrady), by use force or threaten the imminent use of force against the person of (Carolyn Ann McGrady), or another person present, with the intent to overcome his/her physical resistance or physical power of resistance or to compel acquiescence to the taking of or escaping with the property, in violation of §13A-8-43 of the Alabama Criminal Code,  
against the peace and dignity of the State of Alabama.

Sworn to and subscribed before me this the 6<sup>th</sup> day of November, 2015.

| Judge | Clerk | Magistrate

**STATE OF ALABAMA, TALLADEGA COUNTY**      **WRIT OF ARREST**  
**TO ANY LAWFUL OFFICER OF THE STATE OF ALABAMA -- GREETINGS:**

You are hereby commanded to arrest: (Joseph Bernard McAdams) and commit him to jail unless he gives bond in the sum of \$ 10,000.00 for his appearance in this Court on the 8<sup>th</sup> day of December, 2015, to answer the State of Alabama on a charge of Robbery, Third Degree, preferred by (Mike Smith).

Dated this the 26 day of (November), 2015.

Judge       Clerk       Magistrate

State's Witness: {Mike Smith}, Sylacauga Police Department

Agency Case Number: 15-017159

## **Executed**

Per: G.V. Carl B. Smith  
Date: 11/6/2013

**DEFENDANT'S ADDRESS:** 336 Wren Road, Sylacauga, AL 35150

DOB: 04/30/1957

PAGE: B

SBX- M

ISBN: 570-94-8335

HEIGHT: 5'10"

WEIGHT: 165

**Hair:** Black

EYES: Brown

Exhibit - (4)**COMPLAINT ABOUT AN ALABAMA STATE COURT JUDGE**Today's Date: 2-23-16 Your Name: Joseph McAdams : A.I.S #265127Your Telephone Number: N/A Your Address: 1000 ST. CLAIR RD SPRINGVILLE, AL 35146Your Attorney's Name: N/A Your Attorney's Telephone Number: N/AJudge's Name: Patty Davenport Court: DISTRICT COURTCase Number: 15-017169 County: TalladegaName of Case: State v. McAdams**STATEMENT OF FACTS AND ALLEGATIONS**

(See instructions on reverse)

Hon. Patty Davenport Issued an complaint against me on 06 NOV 15 which Revoked my Probation. Without having the following SWORN Affidavit Statement or Affidavits of the Arresting Officer and/or the Victim in this CASE. Does she have a license to practice law in the state of Alabama if so what is her license number?

The allegations and statements of fact set forth above and in any additional attached pages are true and correct to the best of my knowledge, information and belief, and I understand that a copy of this complaint and all supporting materials will be provided by the Commission to the judge against whom the complaint is made.

Joseph McAdams  
(Complainant's Signature)

SUBSCRIBED AND SWEARN to or affirmed before me this 26<sup>th</sup> day of February, 2016.

My Commission expires: 4-29-2019

Melanie D. Poe  
Notary Public

Exhibit (S)



## Judicial Inquiry Commission

TELEPHONE (334) 242-4089 FAX (334) 353-4043

MAILING ADDRESS:  
POST OFFICE BOX 303400  
MONTGOMERY, AL 36130-3400

STREET ADDRESS:  
401 ADAMS AVENUE, SUITE 720  
MONTGOMERY, AL 36104

March 3, 2016

Joseph McAdams  
#265127  
1000 St. Clair Road  
Springville, AL 35146

Dear Mr. McAdams:

I am returning your complaint dated February 23, 2016. Unfortunately, the person you have named on your complaint is not a judge.

You may want to contact the Talladega County Circuit Clerk for further information. I have listed the contact information below:

Mailing address: P. O. Box 183  
Sylacauga, AL 35150

DISTRICT COURT -256-245-4352

Sincerely,

*Chandra Brown*  
Chandra Brown  
Assistant Executive Director



12/18/2015 10:17 AM

61-CC-2011-000491.70

CIRCUIT COURT OF

TALLADEGA COUNTY, ALABAMA

BRIAN YORK, CLERK

Exhibit (b) (A - C)

## IN THE CIRCUIT COURT OF TALLADEGA COUNTY, ALABAMA

STATE OF ALABAMA,

\*

\*

\*

\*

PLAINTIFF,

\*

VS.

\*

CASE NO.: CC 2011-491.70

JOSEPH McADAMS,

\*

DEFENDANT.

\*

\*

\*

ORDER

This matter coming on before the Court on the 17<sup>th</sup> day of December, 2015 based on the Officer's Report on Delinquent Probationer dated the 7<sup>th</sup> day of October, 2015 and the Supplemental Report dated the 10<sup>th</sup> day of December, 2015; the presence of the Defendant; the presence of counsel for the Defendant; the presence of the District Attorney's office; the presence of the State Probation Officer; the Court explaining to the Defendant his rights; the Defendant and counsel for the Defendant acknowledging receipt of the Officer's Reports on Delinquent Probationer; the Court conducting a formal hearing relative to the charges; sworn testimony taken in open court; the Court having taken judicial knowledge of its file; and upon consideration thereof, the Court finds as follows:

1. State Probation Officer Tim Hall testified that the Defendant was on probation on the date of the new offense of Robbery in the Third Degree. Sylacauga Police Department Investigator Mike Smith

Exhibit (b) (B)

stated that he investigated the Robbery Third incident and that a Mrs. Abrams was a witness to the incident. He testified that Mrs. Abrams picked the Defendant out from a photo lineup. The victim, Carolyn McGrady, identified the Defendant in open court as the person that committed the Robbery in the Third Degree by attempting by physical action to commit the theft of her purse. The Court finds beyond reasonable satisfaction that the Defendant committed the offense of Robbery in the Third Degree while on probation.

2. That the Defendant's probation is due to be revoked based on the testimony of Officer Tim Hall, Investigator Michael Smith, and the victim, Carolyn McGrady. The Defendant's probation is due to be revoked and the Defendant required to serve his sentence in accordance with this Order.
3. The Defendant is due to be given credit for pre-revocation confinement.

It is, therefore, **CONSIDERED** and **ORDERED** as follows:

1. That the Defendant's probation is hereby revoked and the Defendant is ordered to serve his 15 year penitentiary sentence. The sentence(s) imposed in this case shall run concurrent with all counts and all sentences for which the Defendant is presently serving time in any penitentiary and/or county jail.

Exhibit (b) - (C)

2. The Defendant is entitled to an additional 77 days of confinement relative to the order requiring him to serve his sentence.
3. That a copy of this Order be forwarded to the District Attorney, counsel for the Defendant, Talladega County Sheriff's Department, Talladega County Jail, and the State Probation Office.

This the 18<sup>th</sup> day of December, 2015.

/s/ Julian M. King

JULIAN M. KING  
PRESIDING CIRCUIT JUDGE

INDICTMENT

Exhibit (7) - (A-B)

The State of Alabama, Talladega County

CIRCUIT COURT, NOVEMBER TERM, 2015

COUNT ONE:

The Grand Jury of said County charge that before the finding of this Indictment and on or about the 2<sup>nd</sup> day of October, 2015, in the County of Talladega, Alabama,

**JOSEPH BERNARD MCADAMS,**

whose true name is to the Grand Jury unknown otherwise than stated,  
did, in the course of committing a theft of property, to-wit: Ladies Purse, the property of, to-wit: Carolyn Ann McGrady, use force or threaten the imminent use of force against the person of, the said Carolyn Ann McGrady, or another person present, with the intent to overcome her physical resistance or physical power of resistance or to compel acquiescence to the taking of or escaping with the property, in violation of Section 13A-8-43 of the Code of Alabama, against the peace and dignity of the State of Alabama.

COUNT TWO:

The Grand Jury of said County charge that before the finding of this Indictment and on or about the 2<sup>nd</sup> day of October, 2015, in the County of Talladega, Alabama,

**JOSEPH BERNARD MCADAMS,**

whose true name is to the Grand Jury unknown otherwise than stated,  
did, with the intent to commit the crime of Theft of Property, First Degree, (13A-8-3) attempt to obtain or exert unauthorized control over, to-wit: Ladies Purse, the property of, to-wit: Carolyn Ann McGrady, in violation of Section 13A-4-2 of the Code of Alabama, against the peace and dignity of the State of Alabama.



DAN BOLEN  
DISTRICT ATTORNEY, 29<sup>TH</sup> JUDICIAL CIRCUIT OF ALABAMA

CC No.

2016-32

Grand Jury No. 201511-212

DC No. 2013-10,0719  
2015

JMK

Exhibit-(7)-(B)

STATE OF ALABAMA

v.

**JOSEPH BERNARD MCADAMS**

336 Wren Road, Sylacauga, AL 35150

B/M DOB 04/30/57

SSN 570-94-8335

HEIGHT 5'10"

WEIGHT 165 lbs.

HAIR Black

EYES Brown

SID # AL-02098233

Date of Arrest 11/06/2015

(the above information is otherwise unknown than as stated to this Grand Jury)

**COUNT ONE: ROBBERY, THIRD DEGREE**

**COUNT TWO: ATTEMPTED THEFT OF PROPERTY, FIRST DEGREE**

NO PROSECUTOR

**A TRUE BILL**

Presented in open Court by the Foreperson of the Grand Jury in the presence of 17 other members of the Grand Jury and filed, this the 4 day of Feb, 2016

Jay M. Mullins  
GRAND JURY FOREPERSON

Ron York  
CLERK OF THE CIRCUIT COURT OF TALLADEGA  
COUNTY, 29<sup>TH</sup> JUDICIAL CIRCUIT

Bail in this case is fixed at 10,000 dollars. This the 8 day of February, 2016

W.E. Ferguson Jr.  
JUDGE OF THE CIRCUIT COURT OF  
TALLADEGA COUNTY, ALABAMA





ELECTRONICALLY FILED  
10/19/2016 9:03 AM  
61-CC-2016-000032.00  
CIRCUIT COURT OF  
TALLADEGA COUNTY, ALABAMA  
BRIAN YORK, CLERK

*Exhibit - (9)*

**IN THE CIRCUIT COURT OF TALLADEGA COUNTY, ALABAMA**

STATE OF ALABAMA

V.

MCADAMS JOSEPH BERNARD  
Defendant.

} Case No.: CC-2016-000032.00

**ORDER**

This matter coming before the Court upon Defendant's Motion Challenging the Jurisdiction of this Court and Motion to Suppress the Complaint and Arrest Warrant in this case. Upon hearing held on October 13, 2016, submission of the pleadings and argument by respective counsel, the Court finds said motions not well taken and are due to be denied.

IT IS THEREFORE CONSIDERED AND ORDERED that the Defendant's Motion to Challenge Jurisdiction and Motion to Suppress Complaint and Arrest Warrant are denied.

The clerk of this Court shall forward a copy of this Order to the District Attorney and the Defendant.

DONE this 19<sup>th</sup> day of October, 2016.

/s/ WM E HOLLINGSWORTH III  
**CIRCUIT JUDGE**